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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,915	12/12/2003	Tomoyuki Funaki	393032024510	2436

25224 7590 11/01/2007  
MORRISON & FOERSTER, LLP  
555 WEST FIFTH STREET  
SUITE 3500  
LOS ANGELES, CA 90013-1024

EXAMINER
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FLETCHER, MARLON T

ART UNIT	PAPER NUMBER
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2837

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/734,915

Applicant(s)

FUNAKI, TOMOYUKI

Examiner

Marlon T. Fletcher

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5-8, 12, 13, 18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-8, 12, 13, 18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 5-7 and 13, are rejected under 35 U.S.C. 102(e) as being anticipated by Beigi (6,538,187).

Beigi discloses a word composing apparatus comprising: a dictionary (30) storing at least words and parts of speech corresponding to the words; a search condition designator (22) that designates at least a part of speech as a search condition (column 6, line 61 – column 7, line 4); a word search unit (22A) that searches a word matching the search condition designated by said search condition designator from said dictionary; a display unit (60) for displaying that displays a searched word; and an input processor unit (20) that executes a process of inputting a word displayed on said search result display unit as letters or characters of a song word.

Beigi discloses a word composing apparatus, wherein said search condition designator designates at least the number of syllables and a part of speech as the search condition (column 6, line 61 – column 7, line 4).

Beigi discloses a word composing apparatus, wherein said search condition designator counts a letter or character train containing predetermined letters or characters as both one syllable and two syllables, as a method of counting the number of syllables of a word in said dictionary (column 4, line 54 – column 5, line 12).

Beigi discloses a word composing method comprising the steps of: selecting a sentence syntax template from a plurality of sentence syntax templates each defining a typical order of a plurality of parts of speech (column 6, line 61 – column 7, line 33); and inputting words of a song in accordance with the selected sentence syntax template (column 2, line 60 – column 3, line 8).

3. Claims 12, 18, and 20-24, are rejected under 35 U.S.C. 102(a) as being anticipated by Onishi et al. (6,154,720).

Onishi et al. disclose a word composing apparatus comprising: sentence syntax storing means for device storing a plurality of sentence syntax templates each defining a typical order of a plurality of parts of speech (abstract); display unit (4) that displays a plurality of sentence syntax templates, based on the stored sentence syntax templates, to urge selection of one sentence syntax template; and designator (5) that designates one sentence syntax template among sentence syntax templates displayed on said display unit.

Onishi et al. disclose a word composing method comprising the steps of:  
designating at least a part of speech as a search condition (column 35, lines 18-22);  
and searching a word matching the search condition from a dictionary storing at least  
words and parts of speech corresponding to the words, and adopting the searched word  
as part of a song word to be input (column 17, lines 19-40).

Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Marlon T. Fletcher whose telephone number is 571-272-  
2063. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Lincoln Donovan can be reached on 571-272-1988. The fax phone number  
for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MTF  
10/28/2007



Marlon Fletcher  
Primary Examiner